REMARKS

Applicant's invention is set forth in the pending claims.

In the Official Action mailed May 6, 2004, the Examiner requires a new title which is clearly indicative of the invention to which the claims are directed.

The Examiner further rejects the claims under 35 USC 112 ¶2. In that regard, the Examiner states that the rejcction is based on presence of the limitation "said medium protection data" at lines 19-20 of claim 1, as well as at lines 4 and 6 of the recitation of claim 2.

Additionally, the Action rejects the claims under the judicially created doctrine of obviousness-type double patenting over claims 1-6 of U.S. Patent No. 6,212,329 B1 "and its 35 continuations." Addressing the rejections, *seriatem*, applicant submits as follows.

Upon reviewing the Examiner's requirement, the claims and the disclosure, applicant provides herein a new title which is believed more closely to correspond to the subject matter recited in the claims.

Additionally, by amendment of claim 1 to bring lines (presently) numbered 5, 15, 19 and 21 into conformity with presently numbered lines 24-25 (originally numbered 19-20) of claim 1 and presently numbered lines 4 and 7 (originally numbered 4 and 6) of claim 2, the application is amended to eliminate the basis for objection to, or rejection of, the claims for "insufficient antecedent basis" set forth in the action, thus eliminating said basis. However, notwithstanding the foregoing amendment, it is courteously submitted that rcconsideration of the rejection based on 35 USC 112 ¶2 is in order, as an assertion of

"insufficient antecedent basis" does not rise to the level of a statutory rejection under 35 USC 112.

More specifically, 35 USC 112 ¶2 requires that "the specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention."

The Action merely refers to "insufficient antecedent basis". Applicant respectfully submits that the claim recitation, as is easily appreciated by one of ordinary skill in the art who has read the specification, clearly points out and distinctly claims the inventive subject matter. Indeed, whether or not the claims include "insufficient antecedent basis", such an assertion fails to demonstrate a statutory deficiency in the claims, or to demonstrate that the claims fail to meet the requirement for "pointing out and distinctly claiming the subject matter".

In any case, upon entry of the amendment, the basis for objection to the claims will have been overcome.

Upon review of the claim language, applicant further amends the claims as follows. More particularly, applicant requests identifying the inventive method as providing a decoding protection method method <u>with a video data encoding method using a DCT (Discrete Cosine Transform) method of an MPEG algorithm</u>, as now added to the recitation of lines 1-3 of claim 1.

Moreover, the inventive method is recited as limiting decoding based upon at least a film classification system, as now recited at line 7 of claim 1.

It is noted that support for the added recitation at lines 1-3 is found throughout the specification. Examples of such support are illustrated by the second full paragraph of page 7, which assumes that "that the original video and audio signals have been encoded by high-efficiency compression encoding using the MPEG1 algorithm" and by lines 8-14 of page 17, which disclose that "With the MPEG1 algorithm, a block size of 8 x 8 picture elements is used in the DCT processing". Moreover, support is illustrated by the disclosure at page 18, lines 15-16 which notes that "With a video data encoding method such as the DCT method, the output digital signal that is produced from the inverse DCT circuit" and by the description at page 15, lines 10-13 which clarifies that "DCT" is a "discrete cosine transform".

Moreover, support for the recitation added at line 7 is found, *inter alia*, in the paragraph bridging pages 8 and 9, more particularly at the last line (line 23) of page 8 to line 4 of page 9, and the illustration at Fig. 3.

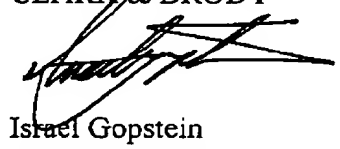
It is courteously submitted that, inasmuch as the amendment provided herein does not add new matter and is supported by the specification, even cursory review of the amendatory language will suffice to demonstrate the propriety of the amendment as well as patentability of the amended claims.

As to the rejection under the judicially created doctrine of obviousness-type double patenting over claims 1-6 of U.S. Patent No. 6,212,329 B1 and its "35" continuations, it is noted that the present application is one of the 35 continuations. Therefore, as it is clear that the Examiner did not intend to reject the present application for obviousness-type

double patenting over itself, a Terminal Disclaimer is filed herewith and identifies the '329 patent and its 34 *other copending* applications , thereby to overcome the rejection.

Having thus eliminated or overcome all bases for rejection of or objection to the application or any of its components, and in view of the foregoing, it is respectfully submitted that the application is in condition for allowance and n early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone if any further comments, questions or suggestions arise in connection with the application.

Respectfully submitted,
CLARK & BRODY



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